

SIKKIM
GOVERNMENT  **GAZETTE**

**EXTRAORDINARY
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Gangtok

Monday 27th December, 2010

No. 698

GOVERNMENT OF SIKKIM

**DEPARTMENT OF PERSONNEL, ADMINISTRATIVE REFORMS & TRAINING, PUBLIC
GRIEVANCES, CAREER OPTIONS & EMPLOYMENT SKILL DEVELOPMENT AND CHIEF
MINISTER'S SELF EMPLOYMENT SCHEME
GANGTOK**

No.329/GEN/DOP

Dated: 18/12/2010

NOTIFICATION

Whereas, the Hon'ble Supreme Court vide its order dated: 26/07/2010 passed in IA NO.244 in Writ Petition (C) No. 1022/1989 in All India Judges Association and Others Versus Union of India and others, issued directions to the State to implement additional quantum of pension to be paid to Judicial Officers, who have since retired including family pensioner in terms of VIth Central Pay Commission Report and in terms of the chart reproduced in the said order of the Hon'ble Court;

AND WHEREAS, the Hon'ble Court has in the said order directed for payment of domestic help allowances to family pensioner, commutation of pension at 50% of the last pay drawn etc. and such directions are required to be incorporated in the rules amended vide Notification No. 256/GEN/DOP, dated: 22/6/2010, published in the Sikkim Government Gazette, dated Friday the 25th June, 2010, No. 291;

AND WHEREAS, the other directions of the Hon'ble Court in the said order have already been implemented by way of amending the rules notified vide Notification No. 256/GEN/DOP, dated 22/6/2010;

AND WHEREAS, the State Government has already given its approval for implementation of the said direction;

NOW, THEREFORE, in exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Sikkim, in consultation with the High Court of Sikkim, is hereby pleased to amend the Judicial Officers, (Allowances, Amenities and Advances) Rules, 2004, namely:-

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| Short title and
Commencement | 1 | (1) These rules may be called the Judicial Officers (Allowances, Amenities and Advances) Amendment Rules, 2010. |
| | | (2) They shall be deemed to have come into force on the 1 st day of January, 2006. |
| Amendment of
rule 23 | 2 | (i) In the Judicial Officer (Allowances, Amenities and Advances) Rules 2004, in rule 23,-in sub-clause (iii) of sub- rule (5), for the existing table, the following table shall be substituted, namely:- |

Age of Penioner / Family Pensioner	Additional quantum of Pension
From 80 years to less than 85 years	20% of revised basic pension / family pension
From 85 years to less than 90 years	30% of revised basic pension / family pension
From 90 years to less than 95 years	40% of revised basic pension / family pension
From 95 years to less than 100 years	50% of revised basic pension / family pension
100 years or more	100% of revised basic pension / family pension

- (ii) In sub-rule (7), for the word "Pension", the words, "latest pay drawn" shall be substituted.
- (iii) after sub-rule (9), the following sub-rule shall be inserted, namely:-"(10) Family Pensioner shall be paid domestic help allowance at the rate of Rs. 1000/- per month."

BY ORDER AND IN THE NAME OF GOVERNOR

**DIPA BASNET
ADDITIONAL SECRETARY**